

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
(FORT WORTH DIVISION)**

NEXTGEAR CAPITAL, INC. AND
AUTOMOTIVE FINANCE
CORPORATION,

Plaintiffs,

v.

DRUIEN, INC. D/B/A LAWTON AUTO
AUCTION A/K/A LAWTON CACHE
AUTO AUCTION, LISA DRUIEN, AND
MICHAEL VERNON GARRISON D/B/A
ROCK HILL USED CARS,

Defendants.

Civil Action No. 4:20-CV-959-BJ

**ORDER GRANTING PLAINTIFFS' MOTION TO COMPEL RULE 26 INITIAL DISCLOSURES FROM
DEFENDANT MICHAEL VERNON GARRISON D/B/A ROCK HILL USED CARS**

ON THIS DAY, came for consideration Plaintiffs' NextGear Capital, Inc. and Automotive Finance Corporation Motion to Compel Rule 26 Initial Disclosures from Defendant Michael Vernon Garrison d/b/a Rock Hill Used Cars (the "Motion"), and after consideration of the evidence and argument of counsel, the Court finds that the Motion should be GRANTED.

IT IS THEREFORE ORDERED that Defendant Michael Vernon Garrison d/b/a Rock Hill Used Cars ("Defendant") shall serve and produce to Plaintiffs, NextGear Capital, Inc. and Automotive Finance Corporation, by and through its counsel for record, Padfield & Stout, LLP, at 420 Throckmorton Street, Suite 1210, Fort Worth, Texas 76102, substantive and responsive Rule 26(a)(1) disclosures within fourteen (14) days of entry of this Order that identify a copy—or a

description by category and location—of all documents, electronically stored information, and tangible things that Defendant has in their possession, custody, or control and may use to support their claims or defenses, or else be barred from using any such undisclosed documents at any pre-trial hearing or trial;

IT IS FURTHER ORDERED that as a result of Defendant's unexcused failure to serve Rule 26(a) initial disclosures, sanctions are appropriate pursuant to Fed. R. Civ. P. 37(b), and Defendant is hereby prohibited from supporting their defenses or affirmative defenses at trial or at any pre-trial hearing with any evidence or witnesses;

IT IS FURTHER ORDERED that Defendant shall pay to Plaintiffs the reasonable costs incurred by Plaintiffs for pursuing the motion to compel, which shall be awarded by separate order upon submission of a fee application by Plaintiffs within fourteen (14) days of this Order itemizing Plaintiffs' reasonable costs and expenses in prosecuting the Motion.

Jeffrey L. Cureton
UNITED STATES MAGISTRATE JUDGE